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HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

(DIVISION BENCH)

CORAM : Hon'ble Shri S.R. Nayak, CJ
Hon'ble Shri D.R. Deshmukh, J.

Misc. Appeal No. 1382 OF 2005

APPELLANT
APPLICANT
Dileshwar @ Raju Dewangan
S/o Balaram, R/o. Post. Ghoorsena,
P.S. Nandghat, Dist. Durg (C.G.)

Versus

RESPONDENTS

1. Sartaj Khan, S/o. Islam Khan,
Aged about 28 years, R/o. Village & P.S.
Itwara, Dist. Nagpur, Maharashtra

2. Jasbinder Singh Sainy
S/o. Shri Bayant Singh Sainy
Aged about 42 year, R/o. 173 Ashok
Nagar, P.S. Pachpoli Nagpur,
Maharastra

3. National Insurance Co. Ltd.
10-Vardhman Nagar - 271103
Nagpur, Maharastra

Present:
Shri Sudhir Verma, learned counsel for the appellant.

ORAL ORDER
(Passed on 10th of January 2006)

The following Order of the Court was passed by

D.R. Deshmukh, J:

In this appeal, learned counsel for the appellant has contended that the MACT has wrongly held that the appellant contributed to the accident and has apportioned the compensation assessed at Rs. 1,52,369/- to fifty per cent. We have gone through the impugned award and from paras 8 & 9, we find that the appellant while going on his motorcycle was required to take right turn for going to village Ghoorsena. Learned MACT has, on

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appreciation of evidence, rightly come to the conclusion that the appellant while doing so contributed to the accident and has rightly apportioned the compensation assessed.

(2) In our considered opinion, the compensation awarded by the MACT does not call for any interference. The appeal is devoid of substance and it is accordingly dismissed.

Sd/-
Chief Justice

Sd/-
Dilip Raosaheb Deshmukh
Judge